

# PEPE & HAZARD LLP

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May 26, 2005

**VIA FACSIMILE**

**617.748.9096**

Ms. Zita Lovett

Clerk to the Honorable Joseph Tauro  
U.S. District Court for the District of Massachusetts  
John Joseph Moakley Courthouse  
One Courthouse Way  
Boston, MA 02210

Re: Converse Inc. v. Alon International S.A.  
Docket No. 04-12591-PBS

Dear Ms. Lovett:

In an effort to keep you apprised of developments in this matter, please be advised that the International Centre for Dispute Resolution (ICDR) has informed the parties that the procedure for selecting the new arbitrator will proceed according to the parties' prior agreement (pursuant to the Rank and Strike List), such that a new arbitrator has been invited to serve. Upon receiving that information, we contacted the ICDR in an effort to determine exactly when the new arbitrator would be expected to accept the invitation. The ICDR indicated that it expected to hear from the invited arbitrator by Tuesday, May 31, 2005, at the latest. Please also note that the ICDR's offices close at 1:00 p.m. EST tomorrow, May 27, 2005, and the ICDR stated that if the new arbitrator does not accept by then, he will not be appointed and available to serve until at least Tuesday, May 31, 2005.

In light of the continued uncertainty regarding the appointment and availability of the next arbitrator, we reiterate our request that the Court schedule a hearing tomorrow, May 27, 2005. Thank you for your attention to this matter.

Very truly yours,

  
David P. Russman

Cc: Counsel of record (via facsimile)



International Centre  
for Dispute Resolution

May 26, 2005

**VIA FACSIMILE ONLY**

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Boston, MA 02110

Re: 50133 T 00579 04  
Alon International, S.A.  
vs  
Converse Inc.

Dear Counsel:

After careful review of the comments submitted by the Parties, the ICDR has determined that we will proceed with the list method for the appointment of the Arbitrator. Therefore, we will invite the next mutually acceptable Arbitrator to serve in this matter.

At this stage the Arbitration may proceed.

Please contact the undersigned should you have any questions.

Sincerely,

*Karen Ponce*

Karen Ponce  
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# Fax Cover Sheet

DATE: May 26, 2005 TIME: \_\_\_\_\_ CLIENT/MATTER: 32913-2

PLEASE DELIVER THIS FAX IMMEDIATELY TO:

NAME/PHONE	FIRM	FAX NUMBER
Zita Lovett	The Honorable Joseph Tauro	617-748-9096

FROM: David P. Russman

MESSAGE: Please see attached.

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Transmitted By: \_\_\_\_\_ Return To: alh \_\_\_\_\_